

**MINUTES
OF THE MEETING OF THE
CITY OF BENBROOK
PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, JANUARY 13, 2022**

The regular meeting of the Planning and Zoning Commission of the City of Benbrook was held on Thursday, January 13, 2022, at 7:30 p.m. in the Council Chambers at 911 Winscott Road with the following members present:

Alfredo Valverde
Brandon Ellison
Matthew Wallis
Jon Craver
Beth Jones
Leah Rodriguez
Damon Farrar

Absent: David Ramsey
John Logan

| | | |
|---------------|--------------------|--|
| Also present: | Jim Hinderaker | Assistant City Manager |
| | Doug Howard | City Planner |
| | Caroline Stewart | Assistant City Planner, Acting Recording Secretary |
| | Heath Haseloff, PE | City Engineer |
| | Bennett Howell, PE | Director of Public Services, Floodplain Administrator |

I. CALL TO ORDER

The presiding officer, Chair Craver, called the meeting to order at 7:31 p.m.

II. CITIZEN COMMENTS ON ANY AGENDA ITEM

The presiding officer asked for any citizen comments on any agenda item. No one in attendance spoke.

III. MINUTES

A. Approve Minutes of the Regular Meeting Held on December 9, 2021.

Motion by Commissioner Wallis to approve the minutes of the December 9th meeting. Seconded by Commissioner Rodriguez. The presiding officer called the question.

Vote on the motion:

Ayes: Mr. Wallis, Mr. Craver, Ms. Jones, Ms. Rodriguez, and Mr. Farrar

Noes: None

Abstain: Mr. Valverde and Mr. Ellison

Motion carried: 5 – 0 – 2

IV. SELECTION OF CHAIR AND VICE CHAIR

Motion by Commissioner Ellison to elect Commissioner Valverde as Chair of the Planning and Zoning Commission. Seconded by Commissioner Farrar. The presiding officer called the question.

Vote on the motion:

Ayes: Mr. Valverde, Mr. Ellison, Mr. Wallis, Mr. Craver, Ms. Jones, Ms. Rodriguez, and Mr. Farrar

Noes: None

Abstain: None

Motion carried: 7 – 0 – 0

Chair Valverde called for nominations for Vice Chair. Commissioner Ellison nominated Commissioner Craver as Vice Chair of the Planning and Zoning Commission. The Chair asked for any other nominations. Commissioner Rodriguez nominated Commissioner Logan as Vice Chair of the Planning and Zoning Commission. Commissioner Wallis seconded the nomination of Commissioner Craver. Commissioner Farrar seconded the second motion; however, since a nomination and second for Commissioner Craver was already in motion, the Commission must first act on the first nomination. The presiding officer called the question.

Vote on the motion:

Ayes: Mr. Valverde, Mr. Ellison, Mr. Wallis, Mr. Craver, Ms. Jones, and Ms. Rodriguez

Noes: Mr. Farrar

Abstain: None

Motion carried: 6 – 1 – 0

V. REPORTS OF CITY STAFF

A. Trinity Estates Phases 3 & 4

- 1) P-22-01 – A request to approve a preliminary plat for approximately 75 acres of land situated in the W. Jackson Survey, Abstract Number 857 and the J. Dunham Survey, Abstract Number 409 Tarrant County, Benbrook, Texas. The property is zoned “B” One-Family District. The property is generally located east of the intersection of Timberline Drive and Vernon Castle Avenue. The developer is proposing a 2-phase residential development, creating 199 single-family residential lots. [PUBLIC HEARING]

The applicant, Joe LaCroix – Baird, Hampton & Brown and Scott Sandlin – Sandlin Homes, gave a brief presentation.

Doug Howard, City Planner, presented the staff report and recommended approval to the Planning and Zoning Commission.

Commissioner Farrar asked to compare the greenspace being provided and the minimum requirements as it seems they are providing more? Mr. Howard stated there is no greenspace

requirement aside the landscaping requirements of the zoning ordinance, anything else provided is above and beyond what is required.

Commissioner Ellison asked what will the drainage/HOA lots look like and what is the required quality of the screening wall? Mr. Howard stated the applicant could better answer the question and explained if a development has common areas, a property owners association must be created and have provisions to maintain the wall.

Commissioner Valverde asked staff to explain the City ordinance that holds the property owner liable if a fence/wall were to need maintenance? Mr. Howard stated the City has fence and wall maintenance standards that must be followed.

The presiding officer called the applicant back to the podium to give additional comments and answer any questions from the Commission.

Joe LaCroix explained the locations and purposes of the drainage/HOA lots. Scott Sandlin added comments on his vision for the drainage/HOA lots.

Commissioner Wallis asked if the green space areas were just the drainage/detention areas, if they met the requirement to not have any adverse effects on surrounding properties, does the Engineer believe this project is obtainable, will the subdivision change the level of service for the area based on the TIA, and what does a service level of C mean? Mr. LaCroix stated the green space is a combination of drainage areas and open space, there will be no adverse impacts on surrounding lots and the HOA lots will have amenities for the public, the project is obtainable and they are doing all the necessary steps and review processes (floodplain permits, CLOMR, LOMR), and explained what the TIA analysis considers.

Commissioner Rodriguez asked if the applicant has worked with the City to make sure the traffic problems on Vernon Castle and similar streets would not be increased and would they be using traffic counters on Vernon Castle? Mr. LaCroix stated the TIA considers current traffic patterns and will consider any recommendations from the analysis once completed and he was not sure of the locations the counters are placed but he assumes the analysis will take a comprehensive study of the neighborhood.

Commissioner Ellison asked who performs the TIA for the City, what are possible recommendations of the study and stated he feels there will be an increase in traffic and nothing can be done about it. Mr. Howard stated the City does not perform the study and gave examples of recommendations he has seen in other TIAs.

Heath Haseloff, PE, City Engineer, explained what the level of service means within the TIA study, City requirements on the level of service, and further explained the role the TIA plays in a development review.

Commissioner Wallis asked if there was one street in and out for the subdivision and if the TIA covered all surrounding areas? Mr. Haseloff stated there are three points of ingress/egress and the areas where the TIA will cover.

Commissioner Rodriguez asked if Vernon Castle was the only through street to the subdivision, if there was anything that could be done with the speeding issue on Vernon Castle, and if speed bumps are something that could be put in to help? Mr. Haseloff explained what the City does when complaints are made about speeding and the City's policy on speed bumps.

Commissioner Valverde asked who provides maintenance if speed bumps were to be put in by the neighborhood? Mr. Haseloff stated it would be the neighborhoods responsibility to maintain speed bumps.

Commissioner Craver asked if additional studies are done once the subdivision is in place? Mr. Haseloff stated there is no requirement to do another TIA after the subdivision is in place.

Commissioner Valverde asked if they would be doing traffic counts on Rio Grande? Mr. Haseloff stated he was not sure of the exact locations they will perform traffic counts, but it will all be included in the final TIA document.

Commissioner Ellison asked the applicant how to remove an area from the floodplain and will raising the land move water towards existing neighborhoods? Mr. Lacroix explained the floodplain in the area and how they are able to remove the site from the floodplain and that no adverse impacts will happen to the surrounding neighborhoods.

Commissioner Valverde asked will having the water drain to the Clear Fork Trinity River impact existing homes in a positive way? Mr. LaCroix stated it will not negatively or positively impact the surrounding neighborhoods.

Commissioner Wallis asked Mr. Haseloff if the plans show anything to why the applicant cannot substantially comply with City ordinances? Mr. Haseloff stated at the preliminary level, there appears to be no concerns and reiterated the plans will be going through multiple different agency reviews to catch potential issues.

Commissioner Rodriguez asked what the impact will be on the schools and if the entire subdivision was within Benbrook? Mr. Howard also stated the City notifies the school district when a project comes in with new homes, the City received no comments from FWISD and confirmed all of the homes are within the city limits.

Jim Hinderaker, Assistant City Manager, explained the City participated in recent discussions with FWISD about potential residential developments the City could have in the future.

Commissioner Rodriguez asked what the timeline for the project is? Mr. LaCroix stated they are working through the different approval processes (Preliminary Plat, FEMA) and then they will move forward with final platting of Phase 3. Mr. Sandlin further explained the projected timeline.

Commissioner Wallis asked staff what would need to happen to deny the plat, if staff found any instances where the applicant could not meet and what would happen if the case was denied without justification? Mr. Howard confirmed if the commission were to deny the plat, state law requires the commission to provide reasons, with citations of city rules, to the applicant. Staff found no instances to where the applicant could not meet city ordinances, and explained the outcome if the commission denied the plat without reason.

Commissioner Valverde asked if the applicant met the criteria of the City's Comprehensive Plan standards? Mr. Howard stated they are meeting the criteria of the Comprehensive Plan.

Commissioner Rodriguez asked how the well/drilling site was going to be filled in, if there will be a playground or park in the new subdivision, if there was any open space outside of the drainage areas, and if the applicant could talk about the trail system and access points? Mr. LaCroix stated the gas well site will decrease in size but continue to operate and the frack pond will go away, there is a potential for a park/playground that will be considered later on, explained the purposes of the HOA lots and the potential of each lot, and explained the planned access points to the trail system.

Commissioner Valverde asked if there was any concern about the previous fracking at the gas well site and the foundations of the new homes? Mr. LaCroix stated they do not see any issues with the home foundations.

Commissioner Ellison asked how long the gas well site will be in operation? Bennett Howell, PE, Public Services Director, explained the terms of the gas well site and state law requirements on closing it. Mr. Howell also addressed floodplain and traffic issues discussed.

Commissioner Rodriguez asked if the applicant considered more affordable housing in the area and if they will take into consideration the architecture of existing neighborhoods for the design of the homes? Mr. Sandlin explained the projected price points of the homes and their design process for new subdivisions.

Commissioner Ellison asked if they planned to sell any lots to other home builders? Mr. Sandlin stated they will not be selling any lots.

The presiding officer asked for public comment at 8:52pm, starting with those who want to speak in favor of the item. The following spoke in favor for the item and voiced concerns regarding the item: Charles Marino (1325 Trinity Drive), Ronald Palmer (1725 Briar Run), Renee Weinfuss (1225 Concho Drive), and Sandra Renfro (1248 S. Timberline Drive). Concerns included traffic, flooding, capacity of services to accommodate the additional homes, and the wall required on the perimeter of the subdivision along Timberline Drive.

The following spoke in opposition for the item: Steve Smith (1224 Trinity Drive), Julie Zsambok (1200 Vernon Castle), Doug Zook (1332 Rio Grande Drive), Donna Clem (1236 S. Timberline Drive), Greg Clem (1236 S. Timberline Drive), Linda Daniel (1332 Brazos Drive), Dennis Lindgron (1605 Timbercreek Road), Kristina West (1161 Snowbird Court), Scott Campbell (1416 Vernon Castle Avenue), Kate Lozyk (1828 Briar Run), and Sarah Anderson (1204 Tobie Layne). Comments included concerns regarding the following: traffic, vehicular speeding, flooding, sanitary sewer capacity issues, construction traffic and debris, the wall required on the perimeter of the subdivision along Timberline Drive, and general safety of the neighborhood.

The presiding officer closed the public comment period at 9:30pm.

The applicant, Joe LaCroix, addressed questions and concerns brought up during the public hearing.

Commissioner Valverde asked the applicant to address the following additional concerns brought up during the public hearing: construction traffic and debris, developer helping with speed bump installation, range of home sizes, masonry wall/fencing, flooding, sidewalks and walking trails, pond retaining water, and traffic counts. Mr. LaCroix and Mr. Sandlin addressed these additional concerns. Commissioner Valverde stated it may be difficult to get the neighborhood in agreeance to put in speed bumps as not everyone may be on board.

Mr. Howard further explained where the case was in the development process and the authority of the Benbrook Water Authority (BWA).

Commissioner Valverde asked about the question from the public hearing regarding the issues with the Ventana development compared to this project? Sarah Anderson (1204 Tobie Layne) came to the podium and further explained her question. Mr. Howard explained the difference between Ventana and the proposed subdivision.

Commissioner Wallis asked if BWA handled sewer issues and reviewing the sewer plans, if the flooding issues in the neighborhood were storm drain related, if the City handled storm drains, if there was a negative impact on the sanitary sewer could the water authority deny it, and wouldn't the addition of homes add to the flooding problems? Mr. Howard stated the City does not review the water and sewer plans. Mr. Haseloff stated the City handles storm drains but the flooding issues are from the sewer lines and BWA requires studies to show the water and sewer can handle the new development but he is not sure about the flooding problem. Mr. LaCroix further explained their conversations with BWA and why this subdivision would not make a difference to the flooding problem. Commissioner Wallis stated any water or sewer infrastructure issues should be brought before the body responsible.

Commissioner Valverde asked if BWA has public hearings on cases like this? Mr. Howard stated he was not sure if they held public hearings, but their meetings are open to the public.

Commissioner Ellison thanked the public for coming out and voicing their concerns. He also asked if the TIA trips per minute were spread out over the entire area or just one access point and if it was feasible to have a sidewalk along Timberline Drive? Mr. LaCroix explained how the TIA calculations are made and a sidewalk is possible. Mr. Howard stated a sidewalk would be required along Timberline. Commissioner Ellison stated he understands the flood issues, but there will be multiple reviews from the various agencies during the process.

Commissioner Rodriguez asked if the developer owned the property yet? Mr. Sandlin stated they have not closed on the property.

Commissioner Craver asked if the backflow issue cause was on the Fort Worth side? Mr. Howard stated the City cannot confirm the source of the issue but confirmed it has been stated that way at the meeting.

Commissioner Wallis asked if they needed to have a motion to further discuss the case amongst the commission or is the discussion now? Commissioner Valverde stated the discussion can happen at any time.

Commissioner Wallis responded to the various issues and concerns brought up through the meeting, and about the city review process.

Motion by Commissioner Wallis to approve Preliminary Plat request number P-22-01, subject to staff comments as contained in the staff report and attachments. Seconded by Commissioner Craver. The presiding officer called the question:

Vote on the motion:

Ayes: Mr. Valverde, Mr. Ellison, Mr. Wallis, Mr. Craver, Ms. Jones, Ms. Rodriguez, and Mr. Farrar

Noes: None

Abstain: None

Motion carried: 7 – 0 – 0

V. COMMISSION MEMBER AND STAFF COMMENTS

The presiding officer asked for any commission member or staff comment/announcement. No comments or announcements were made.

VI. ADJOURNMENT

The presiding officer adjourned the meeting at 10:04 p.m.

APPROVED _____, **2022**

Chair/Presiding Officer